

4. That there should also be obliterated from that portion of the label appearing to the right of the center panel of said label, the following words: "W starym kraju znane od Dawnych lat, jako wynalazek oo. Paulinow w czestochowie."

5. That there should be placed upon each of the cartons containing each of the bottles filled with the drug product aforesaid, and immediately over the words "Medicinal Compound," appearing on each of said cartons, a label bearing in prominent letters the following words: "This product is manufactured in Buffalo, New York, U. S. A." "Contains alcohol 17 to 19 percentum in the form of wine."

B. T. GALLOWAY, *Acting Secretary of Agriculture.*

WASHINGTON, D. C., June 8, 1914.

3221. Adulteration and misbranding of Hercules medicinal beer. U. S. v. 500 Cases of Hercules Medicinal Beer. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 5425. S. No. 2003.)

On November 13, 1913, the United States Attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 500 cases, each containing 2 dozen bottles, of a product purporting to be medicinal beer, remaining unsold in the original unbroken packages and in possession of the New York and Baltimore Transportation Line, New York, N. Y., alleging that the product had been shipped on or about October 30, 1913, by the Standard Brewery Co., Baltimore, Md., and transported from the State of Maryland into the State of New York for further transportation to the Island of Porto Rico, and charging adulteration and misbranding in violation of the Food and Drugs Act. The product was labeled: (On cases) "2½ Galls. Tonic—Handle With Care"; (on gummed label) "International Union of the United Brewery Workmen"; (on bottles) "Hercules Medicinal Beer—containing malt, hops, lithium carbonate, and other medicinal ingredients. Recommended as a tonic, sedative assistant for the treatment of indigestion, dyspepsia, anæmia, mal nutrition, etc., etc. A pleasant restorative for nursing mothers and convalescents. Only the best materials are used and the process is conducted with scrupulous care. Our medicinal beer contains all the nutritive virtues of the best malt tonic, and will fully satisfy the medical profession as the most palatable efficacious assistant to insure healthy appetite, good digestion, restore refreshing sleep, strengthen the nervous system, build up the constitution and as a valuable substitute for solid food. Directions—A wineglassful with each meal and on going to bed, or as may be directed by the physicians. Children in proportion to age. Contains from 3 to 4 per cent alcohol naturally produced, guaranteed by the manufacturers under the Food and Drugs Act June 30, 1906. Manufactured by Standard Brewery Co. Baltimore. This is a medicinal preparation, not a beverage." The labels on the bottles also bore certain statements of claims in the Spanish language.

Adulteration of the product was alleged in the libel for the reason that it purported to be manufactured from malt, hops, lithium carbonate, and other medicinal ingredients, when, in fact, some cereal or cereal product had been substituted for malt in the preparation of the article and it contained no appreciable amount of lithium salts, and such cereal or cereal product had been mixed with the article so as to reduce, and lower, and injuriously affect its quality and strength.

Misbranding was alleged for the reason that the product was an imitation and in that it was labeled and branded so as to deceive and mislead the pur-

chaser, since said label created the belief that malt was used in the manufacture of said product, when, as a matter of fact, some cereal or cereal product had been substituted for malt, and since said labels created the belief that lithium carbonate was an ingredient of the article of food, when, in fact, there was no appreciable amount of lithium salt present.

On December 18, 1913, the claim and stipulation for costs having been filed by the Standard Brewery Co., Baltimore, Md., claimant, and said claimant having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be sold by the United States marshal.

It was further provided, however, by order of the court that upon payment of all the costs of the proceedings and the execution of the bond in the sum of \$500 by said claimant, in conformity with section 10 of the act, the product should be redelivered to the claimant.

B. T. GALLOWAY, *Acting Secretary of Agriculture.*

WASHINGTON, D. C., *June 8, 1914.*

3222. Adulteration of canned goods. U. S. v. 2,000 Cases of Canned Goods. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 5427. S. No. 2011.)

On November 13, 1913, the United States Attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 2,000 cases, consisting of canned vegetables, canned fruits, canned fish, canned meats, canned sirups, and canned soups, remaining unsold in the original unbroken packages and in possession of A. L. Weisenburger upon the premises of the Northwestern Storage Warehouse, Chicago, Ill., alleging that the products had been shipped by E. L. Fretchling and A. L. Weisenburger from Hamilton, Ohio, on October 30, 1913, and transported from the State of Ohio into the State of Illinois, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the canned vegetables, canned fruits, canned sirups, and canned soups was alleged in the libel for the reason that they consisted wholly of a filthy, decomposed, and putrid vegetable substance. Adulteration of these products was also alleged in the libel for the reason that they consisted in part of a filthy, decomposed and putrid vegetable substance. Adulteration of the canned fish, canned meats, and canned soups was alleged in the libel for the reason that they consisted wholly of a filthy, decomposed, and putrid animal substance. Adulteration of these last-named products was also alleged in the libel for the reason that they consisted in part of a filthy, decomposed, and putrid animal substance.

On January 15, 1914, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

B. T. GALLOWAY, *Acting Secretary of Agriculture.*

WASHINGTON, D. C., *June 8, 1914.*

3223. Adulteration of St. Johns bread. U. S. v. 5 Sacks of Saint Johns Bread. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 5429. S. No. 2012.)

On November 13, 1913, the United States Attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 5 sacks, each containing about 200 pounds of St. Johns bread, remaining unsold in the original unbroken packages, and in possession of